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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,079	07/15/2003	Mitsuyoshi Nishimura	116605	6993

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EXAMINER

HOLTON, STEVEN E

ART UNIT	PAPER NUMBER
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2629

DATE MAILED: 03/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/619,079	Applicant(s) NISHIMURA ET AL.	
	Examiner Steven E. Holton	Art Unit 2673	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is made in response to applicant's amendment filed on 1/5/2006. Claims 1-4 are currently pending in the application. An action follows below:

Claim Objections

2. Claims 1-4 are objected to because of the following informalities: the claims recite the use of an 'indication mark' as what appears to be a light emitting portion of an input device. The specification refers to this portion of the invention as a 'pointing mark' (Fig. 1, element 121, paragraphs 31, 42-44). The Examiner is unsure if the pointing mark and indication mark are referring to the same thing, but the indication mark appears to be unclear in light of the specification.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tang et al. (USPN: 5239373), hereinafter Tang, in view of Geaghan et al. (USPN: 5790144), hereinafter Geaghan.

Regarding claim 1, Regarding claim 1, Tang discloses a material presentation device comprising “a material mounting pedestal having a material mounting surface on which material is mounted (Fig. 3, element 20); a photographing section for photographing the material (Fig. 3, element 12a); a first selecting device for selecting one image as a main image from plural images composed of an image output by another material presentation device, a camera image of a material on the material mounting pedestal (Fig. 17, element 98, col. 9, lines 9-15), which is photographed by the photographing section (Fig. 3, element 12b and 13b), an image stored in a memory device (Fig. 16, element 96, col. 9, lines 4-8); the Examiner also notes that memory is an inherent component of a CPU and images stored in the CPU memory could also be shown), and an external image output by an external device connected thereto (Fig. 16, element 96, col. 9, lines 4-8);

a second selecting device capable of selecting no image or one image as an additional image from plural images composed of a camera image of a material on the material mounting pedestal, which is photographed by the photographing section, an image stored in the memory device and an external image output by the external device (Fig. 3, element 22a or 22b, col. 9, lines 16-19);

an indication mark for setting the virtual screen and for being used by a user to operate a point on the virtual screen (Fig. 8C, element 24; col. 7, lines 30-34)

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a point image generating device for generating a point image from point information which is subtracted from an image of the virtual screen and the indication mark photographed by the photographing section (Fig. 8C, element 22 (the CPU) acts as the point generating device; col. 7, lines 15-41, Fig. 8C is discussed in lines 30-34);

an image synthesizing section for synthesizing the additional image selected by the second selecting device and the point image with the main image selected by the first selecting device (Fig. 3, element 22a or 22b, Fig. 18, col. 6, lines 9-28 and col. 9, lines 16-19);

a display image selecting device for selecting one image from an image output by another material presentation device and the image synthesized by the image synthesizing section (Fig. 3, element 22a or 22b, col. 5, line 47 - col. 4, line 28);

an image displaying section for displaying the image selected by the display image selecting device (Fig. 3, element 10a or 10b; col. 5, lines 47-55);
and

an image outputting section for outputting the image synthesized by the image synthesizing section (col. 5, lines 55-68, also Fig. 13 and col. 8, lines 25-38)."

The Examiner notes that image selection and synthesizing is done by the CPU of a single terminal. Selecting what images to show on the display screen such as external or saved images, images from an external camera and inset images can be performed using a pushbutton system, a computer based

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program input system, or even an external video signal mixing board such as used in television production. Further, the Examiner notes that the virtual screen is merely an area on the mounting pedestal that allows the user to indicate points on the surface and the system calculates coordinates based on the indicated points. The virtual screen is a coordinate system defined in the memory of the computer system that corresponds to the physical surface of the pedestal top. However, Tang does not expressly disclose defining a working virtual surface by two arbitrary points to define a rectangular area and coordinates for the area.

Geaghan discloses a touch based input system where the user provides two arbitrary points to calibrate and define a rectangular area where coordinates are defined so that input of points can be indicated by the user (col. 6, lines 39-58).

At the time of invention it would have been obvious to combine the teachings of Tang and Geaghan to produce an touch-based input system where a rectangular input area is defined based by two arbitrary points indicated by the user. The motivation for doing so would be "to allow for calibration of the size of the active area of the touchscreen (Geaghan, col. 6, lines 42-43)." Thus, it would have been obvious to combine the teachings of Tang and Geaghan to produce a touchscreen input system where a rectangular virtual screen is defined using two arbitrary points as specified in claim 1.

Regarding claim 2, the Examiner notes that much of this claim is similar to claim 1. Differences between the claims include: "a point image generating device for generating a point image as an additional image from point information

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output by another material presentation device and point information which is subtracted from an image photographed by the photographing section”, “a first outputting section for outputting the main image which is selected from plural images composed of the camera image of a material on the material mounting pedestal, which is photographed by the photographing section, the image stored in the memory device, and the external image output by the external device connected thereto; a second outputting section for outputting point information which is subtracted from the image photographed by the photographing section; a first inputting section for inputting the main image which is output by the first outputting section of another material presentation device; and a second inputting section for inputting point information which is output by the second outputting section of another material presentation device”. Regarding the point image generating device, Tang discusses a prior art system that provides basis for the device described in the ‘373 patent where the digitizer signals from both input systems are mixed at each workstation (col. 5, lines 25-40). Tang also considers sending all audio, video and other signals across a combined network (col. 8, lines 25-38) or as shown in the basic system of Fig. 3, only partial video and point data are transferred between different systems (col. 5, lines 47-68), such a transfer of data from the video signals and CPU would require multiple data connections from the system to the network so that all data was sent simultaneously, as well as multiple input points to read the information from the network from other users. Thus, the combination of Tang and Geaghan would read on the limitations of claim 2.

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4. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tang in view of Geaghan as applied to claims 1 and 2 above, and further in view of Sciammarella et al. (USPN: 6554434), hereinafter Sciammarella.

Regarding claims 3 and 4, as discussed above the combination of Tang and Geaghan disclose all of the limitations except, "further comprising an optical filter that is removably provided to the photographing section and that enables the photographing section to photograph only light emitted from the indication mark."

Sciammarella discloses a light pen system (Fig. 13, element 9) that provides infrared light to a camera section (Fig. 13, element 7) that has a filter for filtering out other wavelengths of light (Fig. 13, element 7b) so that the position of the light pen can be determined (col. 5, lines 8-26).

At the time of invention it would have been obvious to one skilled in the art to combine the teachings of Tang, Geaghan, and Sciammarella. The light pen system discussed by Tang (col. 7, lines 32-34) which use visible wavelengths of light could be replaced with a light pen as described by Sciammarella with a filter. This would be a matter of design choice to one skilled in the art as both light pens would provide the same functionality of indicating points by the user. Further, replacing a visible light pen with a light pen having a non-visible wavelength of light would remove a light that would normally be visible to a user when operating the pen and looking at the input surface. Thus, it would be obvious to one skilled in the art to combine the teachings of Tang, Geaghan, and Sciammarella to produce a device as specified in claims 3 and 4.

Response to Arguments

5. Applicant's arguments, see pages 6 and 7, filed 1/5/2006, with respect to the rejection(s) of claim(s) 1 and 2 under 35 USC 102(b) have been fully considered and are persuasive in light of the amendments to the claims. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven E. Holton whose telephone number is (571) 272-7903. The examiner can normally be reached on M-F 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on (571) 272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Steven E. Holton
March 18, 2006
Division 2629 (formerly AU 2673)

AMR A. AWAD
PRIMARY EXAMINER

